CD/2016

Conference on Disarmament

12 February 2015

English
Original: Spanish

Note verbale dated 11 February 2015 from the Permanent Mission of Ecuador addressed to the secretariat of the Conference on Disarmament transmitting, in its capacity as Coordinator of the Community of Latin American and Caribbean States, the text of the special declaration on the urgent need for a nuclear-weapon-free world adopted during the Third Summit of Heads of State and Government of the Community of Latin American and Caribbean States (CELAC), held on 28 and 29 January 2015 in Belén, Costa Rica

The Permanent Mission of Ecuador to the United Nations Office and other international organizations in Geneva presents its compliments to the United Nations Office in Geneva — secretariat of the Conference on Disarmament — and, in its capacity as Coordinator of the Community of Latin American and Caribbean States (CELAC), has the honour to transmit herewith the original version, in Spanish, of the Special Declaration on the Urgent Need for a Nuclear-Weapon-Free World, adopted at the Third Summit of CELAC held in Belén, Costa Rica, on 28 and 29 January 2015.

The Permanent Mission of Ecuador kindly requests the secretariat of the Conference on Disarmament to ensure that this declaration is issued as an official document of the Conference on Disarmament and distributed to all member and observer States of the Conference.

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Special declaration No. 16: On the urgent need for a nuclear-weapon-free world

The Heads of State and Government of Latin America and the Caribbean, meeting in Costa Rica on the occasion of the Third Summit of the Community of Latin American and Caribbean States (CELAC), on 28 and 29 January 2015, have decided as follows:

1. We express our pride at the official proclamation of Latin America and the Caribbean as a "Zone of peace" during the Second Summit of the Community, held in Havana, Cuba, on 29 January 2014;

2. We highlight the importance and the contribution to international peace and security of the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (the Treaty of Tlatelolco) and the protocols to it, which established the first nuclear-weapon-free zone in a densely populated part of the planet. We underline our full support for the work of the region's specialized body, the Organization for the Prohibition of Nuclear Weapons in Latin America and the Caribbean, and reaffirm the importance of collaboration and cooperation between CELAC and the Organization in shaping common positions and joint endeavours in the field of nuclear disarmament;

3. We reaffirm once again our deepest concern at the threat posed to humanity by the existence of nuclear weapons and their possible use or the threat of their use;

4. We reiterate our firm conviction and ongoing commitment to continue promoting complete and verifiable nuclear disarmament as a priority objective of the Community, and the urgent need to secure the total and general elimination of nuclear weapons. We are persuaded that the only effective guarantee against the use or threat of use of nuclear weapons is their complete prohibition and elimination;

5. We reaffirm once again our decision to join in the efforts of the international community to move forward towards the negotiation of a universal legally binding instrument banning the possession, development, production, acquisition, testing, stockpiling, transfer, use or threat of use of nuclear weapons, and providing for their confirmed destruction, thus contributing to general and complete disarmament and the strengthening of trust among nations;

6. We emphasize that the use or threat of use of nuclear weapons is a violation of the Charter of the United Nations and a crime against humanity, as well as a violation of international law and international humanitarian law, as unanimously affirmed in 1996 in an advisory opinion by the International Court of Justice, which called for a start to negotiations for the elimination of nuclear weapons;

7. We reaffirm once again the provisions of resolution CG/563 on the urgent need for general and complete nuclear disarmament, as well as the strategic agenda of the Organization for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (OPANAL), both of which were adopted by the 33 member States at the thirteenth ordinary session of the OPANAL General Conference, held on 22 August 2013 in Buenos Aires, Argentina;

8. In that regard, we highlight the need to make progress with the OPANAL strategic plan, one of the ongoing key tasks of the General Conference and the other organs of OPANAL, and to foster and articulate the efforts of CELAC and OPANAL to promote nuclear disarmament;

9. We affirm that the non-nuclear-weapon States, a group which includes all the member States of CELAC, have a legitimate interest in benefiting from unequivocal and

legally binding assurances from the nuclear-weapon States that they will not use or threaten to use nuclear weapons. The member States of CELAC call for efforts to negotiate and adopt as quickly as possible a universal and legally binding instrument on negative security assurances;

10. We reiterate our call to all States, in particular the nuclear-weapon States, to eliminate the role of nuclear weapons from their doctrines, security policies and military strategies and policies, in keeping with their obligations under article VI of the NPT and the commitments arising from the NPT review conferences, as well as national political declarations. In the same way, we urge the countries which have subscribed to policies of extended nuclear deterrence in military alliances based on nuclear weapons to implement policies which will enable them to eliminate their dependence on the nuclear weapons of other States, in harmony with the objectives of the Charter of the United Nations and their obligations under the NPT;

11. We reiterate our great concern at the disastrous large-scale humanitarian consequences and the worldwide effects of any nuclear explosion, whether accidental or intentional;

12. We congratulate Austria on holding the Third Conference on the Humanitarian Impact of Nuclear Weapons, in Vienna in December 2014, and also Mexico on holding the second International Conference on this topic in Nayarit in February 2014. Testimony provided by survivors as well as the evidence and scientific data show that nuclear weapons constitute a serious threat to security, the development of peoples and civilization in general. In keeping with our declarations, we reaffirm our forceful support for the call made in Vienna and Nayarit for the initiation of a diplomatic process of negotiation of an international legally binding instrument banning nuclear weapons;

13. We underline the importance of active participation by CELAC member States in drafting specific proposals for achieving general and complete nuclear disarmament, in accordance with a clear, irreversible and verifiable multilaterally agreed timetable;

14. We commit ourselves to starting negotiations at the highest political level for the prohibition and elimination of nuclear weapons by means of a legally binding instrument, and accordingly welcome the Cuban proposal aimed at securing the adoption of a legally binding instrument on nuclear disarmament, which was presented at the Third Conference on the Humanitarian Impact of Nuclear Weapons, held in Vienna on 8 and 9 December 2014, and endorse the Austrian Pledge which was announced at the end of the Conference;

15. Almost 70 years after the attacks on Hiroshima and Nagasaki, the Community demands that nuclear weapons should never be used again in any circumstances by anyone;

16. We uphold our firm position in favour of the full implementation of the three pillars of the Nuclear Non-Proliferation Treaty (NPT), namely, disarmament, non-proliferation and the peaceful use of nuclear energy, without any discrimination or double standards, and reiterate our concern that, while the objectives of the Treaty in relation to non-proliferation and the exercise of the inalienable right to the peaceful use of nuclear energy have been pursued, no progress has been recorded on the nuclear disarmament objectives;

17. We reaffirm the importance of the Nuclear Non-Proliferation Treaty — the cornerstone of the disarmament and non-proliferation regime — and stress the importance of making it universal;

18. We reaffirm the right of States to develop, produce and make peaceful use of nuclear energy, without discrimination and in keeping with articles I, II, III and IV of the NPT. We reiterate the commitment of all the States parties to the Treaty to facilitate participation in the fullest possible exchange of equipment, material and scientific and technological information for the peaceful use of nuclear energy;

19. We underline the sovereign right of States to manage their sources of energy, including nuclear energy for peaceful purposes;

20. We call on all the nuclear-weapon States to fulfil their obligations under article VI of the NPT, and to negotiate effective measures leading to the prohibition and complete elimination of nuclear weapons;

21. We note that the nuclear-weapon States continue to invest large sums for the purpose of maintaining and modernizing their nuclear arsenals, and affirm that nuclear disarmament is also a socioeconomic imperative for the international community. Hence we urge them to allocate greater resources for promoting peace and sustainable development, especially in the least developed countries;

22. We emphasize that half of annual investment in nuclear arsenals would suffice to enable the development objectives agreed for poverty reduction to be reached at the international level, including the Millennium Development Goals for the year 2015. We underline that action to create a nuclear-weapon-free world is not only a rational economic measure but a necessary step in order to address the deep-rooted causes of socioeconomic instability;

23. In this regard, we urge all the parties to the NPT to implement fully and immediately the thirteen practical steps for nuclear disarmament agreed at the 2000 NPT Review Conference, as well as the Plan of Action of the 2010 Review Conference; we note that all the parties have a duty to pursue negotiations in good faith on effective measures for the cessation of the nuclear arms race at an early date and nuclear disarmament, and on a treaty for general and complete disarmament under strict and effective international control, as stipulated in article VI of the NPT;

24. We regret that the international conference for the establishment of a zone free of nuclear weapons and other weapons of mass destruction in the Middle East, which was scheduled for 2012, has not yet been convened, and note that this commitment is an important and integral part of the commitments entered into at the 1995 Review and Extension Conference, and the final outcome of the 2000 and 2010 NPT Review Conferences;

25. We are firmly convinced that the establishment of such a zone would constitute a vital step in a process of peace in the Middle East region, and call for this conference to be convened and held as soon as possible, in keeping with the agreement among the States parties to the Treaty on the Non-Proliferation of Nuclear Weapons in 1995, 2000 and 2010;

26. We emphasize our condemnation of the upgrading of existing nuclear weapons and the development of new types of such weapons, which is inconsistent with the obligation to take effective steps towards nuclear disarmament;

27. We reiterate the importance of the early entry into force of the Comprehensive Nuclear-Test-Ban Treaty (CTBT), and urge the States listed in annex II of the Treaty, whose ratification is essential to enable it to enter into force, to speed up the process of signature and/or ratification of the instrument;

28. We insist that all States should refrain from carrying out nuclear tests, other nuclear explosions or any other major non-explosive tests, including subcritical experiments and those performed using supercomputers. Such actions run counter to the objective and purposes of the CTBT and its spirit, thus undermining its impact as a measure of nuclear disarmament;

29. We declare that we reject nuclear tests and any strategic concept for defence and security which justifies the use or the threat of the use of nuclear weapons, or which is

founded on the promotion and establishment of military and political alliances based on nuclear weapons and policies of nuclear deterrence;

30. We urge the Conference on Disarmament to display the political will to ensure that substantive work begins without delay through the adoption and implementation of a balanced and comprehensive programme of work which moves the nuclear disarmament agenda forward. We emphasize the urgent need to begin multilateral negotiations for the elimination of nuclear weapons in a non-discriminatory, irreversible and verifiable manner. We welcome the contribution made by the disarmament initiatives organized at the bilateral, regional, multilateral and global levels, and in the major forums where progress can be made, with the participation of all the nuclear-weapon States;

31. We acknowledge the work carried out by the Open-Ended Working Group established under United Nations General Assembly resolution 67/56, with the task of submitting proposals to move forward the multilateral negotiations on nuclear disarmament, including the proposals submitted and contributions made in the Group by the member States of CELAC;

32. We emphasize that the Treaty of Tlatelolco and the Organization for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (OPANAL) constitute political, legal and institutional points of reference in the establishment of other nuclear-weapon-free zones in various regions of the world. The experience of Tlatelolco, together with the other similar zones and Mongolia as the only State which has unilaterally declared itself nuclear-weapon-free, are important political and legal assets for the international community in spurring the establishment of new such zones, and moving forward towards the goal of a nuclear-weapon-free world;

33. We urge the nuclear-weapon States to withdraw all the interpretative declarations attached to protocols I and II to the Treaty of Tlatelolco, which amount to actual reservations that are prohibited by the Treaty, and to respect the denuclearized character of Latin America and the Caribbean, thus helping to rule out the possibility that nuclear weapons may be used against countries in the region. To that end the Community reiterates its commitment to continue working with the nuclear-weapon States parties to protocols I and II, through the appropriate organs of OPANAL and elsewhere, with the aim of securing the withdrawal of those interpretative declarations;

34. We welcome the holding of the Third Conference of States Parties to Treaties that Establish Nuclear-Weapon-Free Zones and Mongolia, which is to take place in New York immediately before the ninth Conference to Review the Treaty on the Non-Proliferation of Nuclear Weapons (NPT). We call for this conference to be strengthened as a forum for shaping consensus on the expansion of nuclear-weapon-free zones, thereby supporting nuclear disarmament;

35. We welcome the high-level meeting of the General Assembly on nuclear disarmament, which was held on 26 September 2013;

36. We reiterate our commitment to proper follow-up to General Assembly resolution 68/32, entitled "Follow-up to the high-level meeting of the General Assembly on nuclear disarmament";

37. We welcome the declaration of 26 September as International Day for the Total Elimination of Nuclear Weapons, highlight the events which took place around the world as this day was marked for the first time, and urge governments, parliaments and civil society to take additional steps to mark this date each year;

38. We welcome the General Assembly's decision to hold a high-level international conference, no later than 2018, to identify measures and actions needed to eliminate nuclear weapons in the shortest possible time, with the aim of adopting a treaty banning the

development, production, acquisition, testing, stockpiling, transfer, use or threat of use of nuclear weapons, and providing for their destruction in accordance with a multilaterally agreed timetable;

39. We reiterate our call to all heads of State and government to declare publicly that it is imperative to eliminate nuclear weapons in all appropriate forums, in order to raise this issue at the highest political level and generate the political will needed to address this threat.

Belén, Costa Rica, 29 January 2015